

REMARKS

Claims 1-4, 9, 11, 14, and 16-38 are pending in this application. Claims 1-4, 9, 11, 14, 16-19, and 23 have been further amended. Reconsideration and allowance of claims 1-4, 9, 11, and 14-38 are respectfully requested in light of the preceding amendments and following remarks.

Examiner Interview Summary

Applicants thank the Examiner for her time and consideration in conducting the email discussions of December 29, 2009 and January 5, 2010. During the discussions, the Examiner indicated that the instant application would overcome potential rejections under § 101 if claims 1-4, 9, and 11 were amended to recite a “non-transitory” recording medium. Applicants have amended the claims in accordance with this substance of the interview.

The Examiner further indicated that claim 23 should be amended to be tied to a specific machine or apparatus in order to avoid potential rejections under § 101. Applicants have amended claim 23 to recite that its steps are performed “with a controller.” The controller as disclosed is a specific machine used to control an optical pickup to read/write data to or from a tangible recording medium, such as the one recited in claims 18 or 19. As such, claim 23 clearly requires and is tied to a specific machine or apparatus.

Entry of Supplemental Amendment

Entry of this supplemental amendment is respectfully requested under 37 C.F.R. § 1.111(a)(2). The claim amendments adopt specific Examiner suggestions from the Examiner Interview, discussed above, place the application in condition for allowance, and/or correct informalities in the claims. Further, the above amendments retain the allowable subject matter in the claims as discussed in previous interviews with the Examiner so as to not require any additional search or consideration over the response filed October 6, 2009. Entry of such amendments under 37 C.F.R. § 1.111(a)(2)(B),(C), and (E) is permitted and respectfully requested. The remainder of these remarks repeat the content of the October 6, 2009 response.

Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 9, 11 and 14-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat Pub 2005/0232111 to Sawabe et al. (“Sawabe”) in view of US Pat 6,181,872 to Yamane et al. (“Yamane”). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to independent claims 1, 11, 16-19, and 23, Applicants initially note that these claims have been amended to recite “each map identifying **transport packets and entry points in the transport packets associated with one of the reproduction paths.**” Where the Examiner applies PGCI cells of Sawabe to meet the recited “map,” Applicants respectfully submit that the cells do not identify both transport packets and entry points

therein associated with one reproduction path. Rather, the cells of Sawabe each identify **video packets associated with different paths/channels, not one reproduction path**. See Sawabe, FIG. 11, elements 220, 10 (cells identifying audio in multi-channel VOB). Thus, Sawabe lacks the features of the “map” as recited in claims 1, 11, 16-19, and 23 as amended.

Applicants further note that the claims have been amended to recite “each map identifying transport packets and entry points in the transport packets associated with one of the reproduction paths” and “the first navigation unit being separate from each map” as recited in parent application 10/176,367. Applicants respectfully submit that neither of Sawabe or Yamane teach, or are applied for teaching, these new claim features introduced by the present Amendment. Thus, Sawabe and Yamane both lack the map and separate first navigation unit as recited in claims 1, 11, 16-19, and 23 as amended.

Yamane does not cure the disclosure and suggestion deficiencies of Sawabe, discussed above. Because Sawabe, alone or in combination with Yamane, fails to teach or suggest each and every feature of claims 1, 11, 16-19, and 23 as amended, these references cannot anticipate or render obvious claims 1, 11, 16-19, or 23. Claims 2-4, 9, 14, 20-22, and 24-39 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1-4, 9, 11, 14, and 16-38 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of each of claims pending in this application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ryan Alley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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